

The U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641

**DETERMINATION OF NEPA ADEQUACY (DNA)**  
*Proposed Action for Public Scoping*

**DOI-BLM-CO-N05-2015-0024-DNA**

**Identifying Information**

**Project Title:** Piceance-East Douglas Herd Management Area and Adjacent Areas Wild Horse Gather

**Legal Description:**

Sixth Principle Meridian  
T 1 N, R 96 W, Sections 6-9, 16-22, 26-36  
T 1 N, R 97 W, Sections 1 – 24  
T 1 N, R 98 W, Sections 1 - 36  
T 1 N, R 99 W, Sections 1 - 20, 30, 31  
T 1 N, R 101 W, Sections 1 - 36  
T 2 N, R 97 W, Sections 18 - 20, 28 - 34  
T 2 N, R 98 W, Sections 2 – 36  
T 1 S, R 96 W, Sections 4 – 10, 14 – 36  
T 1 S, R 97 W, Sections 1, 2, 10 – 15, 21 – 28, 31 – 36  
T 1 S, R 98 W, Sections 1 - 36  
T 1 S, R 100 W, Sections 19, 29 - 32  
T 1 S, R 101 W, Sections 1 - 4, 9 - 15, 22 - 26, 36  
T 2 S, R 96 W, Sections 1 – 21, 28 – 32  
T 2 S, R 97 W, Sections 1 – 4, 9 – 16, 21 – 26, 36  
T 2 S, R 98 W, Sections 1 - 36  
T 2 S, R 99 W, Sections 1 - 36  
T 3 S, R 99 W, Sections 4 – 8, 17 – 20, 29 – 32  
T 3 S, R 100 W, Sections 1 – 36  
T 4 S, R 99 W, Sections 5 – 8  
T 4 S, R 100 W, Sections 1 – 6, 10 – 12

**Applicant:** Department of the Interior, Bureau of Land Management (BLM), White River Field Office (WRFO)

## **Introduction**

The Bureau of Land Management's (BLM) White River Field Office (WRFO) is proposing to gather and remove approximately 167 excess wild horses from within or adjacent to the Piceance-East Douglas Herd Management Area (PEDHMA) tentatively scheduled to begin on September 14 until 25, 2015. If the BLM is fully successful implementing the proposed action, approximately 210 wild horses would remain within the PEDHMA which is within the Appropriate Management Level (AML) of 135-235 or 89 percent of the AML. No wild horse mares would be returned to the PEDHMA therefore there would be no need for the use of the Porcine Zona Pellucida (PZP) immunocontraception (fertility) drugs.

The gather area (analysis area) is larger than the PEDHMA because it includes areas/lands surrounding or adjacent to the PEDHMA where wild horses have relocated outside of the PEDHMA. The gather area is located entirely within Rio Blanco County, approximately 25 miles west of Meeker, Colorado and approximately 100 miles north and east of Grand Junction, Colorado. The predominant land uses within the gather area are livestock grazing, recreation and energy development. The gather area comprises approximately 449,809 acres (206,265 acres of public and 23,011 acres of private) which is approximately 23 percent of all of the lands within the White River Field Office boundary. The PEDHMA itself comprises approximately 190,130 acres of public, state, and private lands. The map for the gather area (including the PEDHMA) is located in Appendix A, Figure 1.

While the gather may take place anywhere within or adjacent to the PEDHMA various areas have been identified as priority areas to gather and remove wild horses from to address other resource concerns due to an over population of wild horses. The proposed gather is necessary to maintain that the PEDHMA remain within the AML and restore a thriving natural ecological balance consistent with the multiple uses that existing.

## **Issues and Concerns**

At the close of the 2011 gather and removal of excess wild horses the number of wild horses that remained on the range was near or at the high end of the Appropriate Management Level (AML) within the PEDHMA. There were also excess wild horses that remained on the range located outside of the PEDHMA boundary. A post 2011 gather partial inventory was conducted in February 2012 where 183 adult wild horses were counted within the PEDHMA therefore with a 20% recruitment rate figured for 2012, 2013, 2014, and 2015 the PEDHMA is projected to have approximately 377 wild horses not including wild horses located outside of the PEDHMA boundary. Therefore, if BLM were to gather 167 wild horses from within the PEDHMA this would potentially only reduce the wild horse numbers to near the high end of the AML. The estimated population of 377 does not include those wild horses that have relocated outside of the PEDHMA.

The opportunity to remove up to 167 excess wild horses would aid in reducing associated impacts from excess wild horses in areas not maintaining a thriving, natural ecological balance. One of the priorities would be to remove excess wild horses in order to reduce impacts to vegetation communities that are associated with the priority habitat for greater sage-grouse. Greater sage-grouse are a BLM sensitive species and currently a Candidate for listing under the Endangered Species Act. While the gather may take place anywhere within or adjacent to the

PEDHMA, the following locations would be considered a priority area to remove excess wild horses from: southern portion of the Square S Grazing Allotment (Pasture C), the Reagles Grazing Allotment, and the area known as Magnolia Bench. Further, the Barcus area has also been identified as an area that continually receives high use by an elevated wild horse population and for this reason will be considered a priority area (see map in Appendix A).

### **Relationship between the PEDHMA and West Douglas HA Gathers**

The BLM's National Wild Horse and Burro Program has determined there is space available in long-term holding facilities for excess wild horses which may be gathered and removed from Colorado in Fiscal Year 2015. All wild horse gathers are subject to funding approval and further based on availability of short-term and/or long-term holding facilities. Within the WRFO, the priority would be to remove excess wild horses from within and adjacent the West Douglas Herd Area (WDHA). However, if it becomes difficult to gather excess wild horses from the area, the WRFO would gather excess wild horses from within and adjacent the PEDHMA. Gather of any wild horses within the PEDHMA is contingent upon whether or not (and if so, how many) excess wild horses are gathered and removed from the WDHA. However, due to differences between the PEDHMA and the WDHA, the WRFO is conducting separate National Environmental Policy Act (NEPA) reviews for the two proposed gathers (DOI-BLM-CO-N05-2015-0024-DNA [which is tiered to DOI-BLM-CO-110-2011-0058-EA] and DOI-BLM-CO-N05-2015-0023-EA, respectively). The proposed gather in PEDHMA is for a specified number of excess wild horses and would be conducted only during September 2015 using helicopter drive trapping or helicopter assisted roping. The PEDHMA is the only area identified in the WRFO for management of wild horses. In contrast, the WDHA is not identified in the RMP for management of wild horses and the proposed gather would be conducted over a period of several years using a variety of gather techniques including helicopter drive trapping, helicopter assisted roping, and bait and water trapping. To make sure that the WRFO's gather plans for excess wild horses are clearly understood by the public, both of the NEPA reviews will be made available for public scoping and review at the same time.

### **Conformance with the Land Use Plan**

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

**Land Use Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

**Date Approved:** July 1997

**Decision Language (page 2-26): Objective:** "Manage for a wild horse herd ... within the Piceance-East Douglas Herd Management Area (HMA) so that a thriving ecological balance is maintained for all plant and animal species on that range."

### Management:

“Wild horses will be managed to provide a healthy, viable breeding population with a diverse age structure.”

“The North Piceance and West Douglas Herd Areas will be managed in the short-term (0 – 10 years) to provide forage for a herd of 0 to 50 horses in each herd area. The long term objective (+10 years) will be to remove all wild horses from these areas.”

“The boundary of the Piceance-East Douglas HMA will be expanded to include the Greasewood allotment (presently a part of the North Piceance Herd Area).”

“The wild horse herd population will be managed to improve range condition.”

### **Proposed Action**

The BLM, WRFO proposes to remove up to 167 excess wild horses from within the PEDHMA or areas adjacent to the PEDHMA including on an area locally known as Magnolia Bench (see Appendix A, Figure 1. The gather would be conducted from approximately September 11 – 25, 2015 using helicopter drive-trapping and/or helicopter assisted roping.

Helicopter drive-trapping involves using a helicopter to spot and then herd wild horses towards a pre-constructed trap. Traps will be pre-constructed utilizing portable, round-pipe steel panels with funnel-shaped wings made up of jute fabric affixed to T-posts that have been temporarily tamped into the ground to create a visual barrier so that as the wild horses are hazed by the helicopter towards the trap through the “wings” or funnel so that the wild horses ultimately end up in the trap where people on-the-ground shut a gate behind them in order to catch them in the trap. In general, most traps would estimate to be 1 – 5 acres in size. Trap locations would be situated in areas where previously used trap sites were located or other disturbed areas whenever possible. It is possible that new trap sites will be selected based on where wild horses are to be removed. Trap locations are depicted for safety of maneuvering the wild horses into the trap, as well as, to gather the wild horses located in a given area.

Helicopter assisted roping includes herding by helicopter towards ropers who rope the wild horse(s). Once roped, another rider rides alongside the roped wild horse and roper, helping to haze, or herd, the roped wild horse either towards the trap or towards a stock trailer. Once at the trap the rope is flipped away from the roped wild horse’s neck and it joins the rest of the trapped wild horses.

Approximately six helicopter drive trap locations would be needed for this project. The exact locations of those trap locations would be determined just prior to the date they would be necessary for this gather. Traps would be pre-constructed utilizing portable, round-pipe steel panels with funnel-shaped wings made up of jute fabric affixed to T-posts that have been temporarily tamped into the ground to create a visual barrier so that as the wild horses are hazed by the helicopter towards the trap through the “wings” or funnel so that the wild horses ultimately end up in the trap where people on-the-ground shut a gate behind them in order to catch them in the trap.

For a detailed description of the gather methods incorporated into this proposed action refer to Standard Operating Procedures Washington Office (WO) Instruction Memorandum (IM) 2013-059. (Note: All Washington Office Instruction Memorandums (WO IMs) can be found online at [http://www.blm.gov/wo/st/en/info/regulations/Instruction\\_Memos\\_and\\_Bulletins/national\\_instruction.html](http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction.html)).

## ***Design Features***

The following design features have been incorporated into the Proposed Action and will be adhered to by Wild Horse and Burro (WH&B) National Program Contractor and/or BLM personnel.

1. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates and applicable regulations of the State in which the gather is located.
2. Aviation fueling operations will be conducted a minimum of 1,000 feet from wild horses in traps or temporary holding facilities.
3. All refueling will occur on existing roads or a site approved by the BLM as a helicopter staging area. All approved staging areas will be a minimum of 200 feet from any riparian area or stream channel. The operator could utilize absorbent pads while refueling to limit the potential of fuel spills. In the event of a spill of lubricant, hydraulic fluids, fuels, or other hydrocarbons will be reported to the BLM's Contracting Officer Representative or Project Inspector so that BLM can immediately conduct evaluations of any necessary clean-up actions, as well as perform such actions to ensure compliance with applicable Laws, Rules, and regulations.
4. CPW staff will be contacted to coordinate gather operations in an effort to develop mutually compatible strategies that may reduce the intensity and localize the expanse of helicopter-related disturbances in the big game hunting areas.
5. The BLM will provide the public/media with safe and transparent visitation at wild horse gather operation in accordance with WO-IM-2013-058. The BLM will conduct gather operations while ensuring the humane treatment of wild horses in accordance with WO-IM 2013-059. A schedule will be prepared and posted on the WRFO's website (<http://www.blm.gov/co/st/en/fo/wrfo.html>) that would outline specific viewing opportunities and other relevant information. The BLM will provide concise, accurate and timely information about gather operations with communication and reporting during the course of an ongoing wild horse gather in accordance with WO-IM 2013-061.
6. The WRFO will establish the Incident Command System (ICS) to enable safe, efficient, and successful wild horse gather operations in accordance with WO-IM-2013-060.
7. The BLM would not construct trap locations or temporary holding facilities within 200 meters of known occupied habitat for listed plant species. If trap sites are anticipated in

potential or suitable habitat or within an ACEC (Lower Greasewood Creek, Upper Greasewood Creek, Yanks Gulch/Upper Greasewood Creek, Coal Draw, Oil Spring Mountain, East Douglas Creek, South Cathedral Creek, Duck Creek, Ryan Gulch or Dudley Bluffs) that have not been previously disturbed, 24 hours of notification will be required and a pre-survey for special status plant species will be conducted prior to mobilization of vehicles and equipment by a BLM plant specialist. If BLM Sensitive plant species or federally listed plant species are located, another site will be selected at a distance greater at least 200 meters from the edge of the population or occurrence and pre-surveyed similarly, as necessary.

8. A veterinarian from the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) or licensed contract veterinarian would be at the gather or consulted, as needed, to examine animals and make recommendations to the BLM for care and treatment of the gathered wild horses. Decisions to humanely euthanize animals in field situations would be made in conformance with BLM policy (WO-IM-2009-041).
9. Contractors and/or BLM will utilize trailers to transport gathered wild horses to a temporary holding facility where they would receive appropriate food and water. Holding facilities and gather sites have historically been located on both public and private lands due to road access and availability of water and may be located on such lands again during proposed gather operations.
10. Removed wild horses would mostly likely be transported to the Canon City, Colorado BLM holding facility where they would be prepared (freeze-marked, vaccinated, and dewormed) for adoption, sale (with limitations), or long-term holding unless unforeseen circumstances warranted that the wild horses be transported to a different approved BLM holding facility (i.e. at Rock Springs, Wyoming).
11. There is no proposal to hold a wild horse adoption at the temporary holding facility upon completion of a gather because of current market conditions. However, if determined that an adoption is warranted the BLM may hold an adoption offering approximately 10 wild horses with a date to be decided upon and advertised.
12. Any discovery of hazardous or potentially hazardous materials would be reported to BLM hazardous materials coordinator and Law Enforcement for investigation.
13. Any hay fed at holding facilities, on public lands, would be certified as weed free. Any noxious weeds that establish as a result of the proposed action will be controlled by the BLM. All of the trap locations would be monitored for up to three years for weed species infestation following gather operations. If discovered, the BLM would treat these locations following procedures outlined in DOI-BLM-CO-110-2010-0005-EA ([http://www.blm.gov/co/st/en/BLM\\_Information/nepa/wrfo/FY\\_2010.html](http://www.blm.gov/co/st/en/BLM_Information/nepa/wrfo/FY_2010.html)). It is estimated that the total acreage affected would be less than 30 acres.
14. Trap locations and holding areas will be sited to avoid cultural resources. In areas with acceptable levels of inventory no additional field work should be necessary except to

ensure that sites in the near vicinity can be adequately avoided by drive lines, wing fences and traps. In areas where inadequate inventory data exists an inventory will be conducted to ensure that any resources present are avoided.

15. Known and reported fossil localities will be avoided when locating trap sites and associated wing fences and holding facilities. Sites without adequate inventory data will need to be examined for the presence of fossils during trap site selection activities. Trap facilities will be modified to avoid impacting identified fossil resources.
16. All of the trap locations will be monitored for up to three years for vegetation recovery. If problems with vegetation establishment are discovered, BLM will treat these locations based on the aid in vegetation recovery that may be necessary, i.e. broadcast seeding, at the trap locations. It is estimated that approximately 30 acres will be affected for what would be considered the life of the gather and removal efforts.
17. The BLM is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
18. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The BLM will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The BLM will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
19. Pursuant to 43 CFR 10.4(g), the BLM will immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony will stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
20. The BLM will be responsible for informing all persons who are associated with gather operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.
21. For Minerals and ROWs: Prior to commencement of gathering operations, the BLM will notify existing right-of-way holders, range permittees, operators, and lessees of any

location, date, and time associated with the gather that may affect their permitted activities.

## **Review of Existing NEPA Documents**

Name of Plan: Piceance-East Douglas Herd Management Area Wild Horse Gather Plan

NEPA Document Number: [DOI-BLM-CO-110-2011-0058-EA](#)

Date Approved: August 19, 2011



## Appendix A. Figure 1

